

Message

From: Steinbachs, John [SteinbachsJ@ottawapolice.ca]
Sent: 2/7/2022 2:35:31 PM
To: Deans, Diane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=834526f1361a48a7ad7397177063e574-deansdi]; Ferraro, Krista [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7d4a7adaf8cf40f7b1de88564ac4aaf6-ferrarokr]; Keast, Julia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f61cd9ea66604f7394845c3856d04d6d-keastju]
CC: White, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2702669a75e34e578e3a5e20db60cf53-whiteda]; Logan, Hannah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9f508cdcf35e40f2974db5e3815c8f74-loganha]
Subject: FW: Motion by City Councilor Catherine McKenney

Unclassified

Unclassified

Chair,

See below for our General Counsel's view on the issue of police of jurisdiction.

John
6138063410

From: Nelson, Vicky A <NelsonVA@ottawapolice.ca> **On Behalf Of** Huneault, Christiane
Sent: Monday, February 7, 2022 9:27 AM
To: White, David (City of Ottawa) <David.White@ottawa.ca>; Watson, Jim (Mayor/Maire) (City of Ottawa) <Jim.Watson@ottawa.ca>
Cc: Sloly, Peter <SlolyP@ottawapolice.ca>; Bell, Steve <Bells@ottawapolice.ca>; Steinbachs, John <SteinbachsJ@ottawapolice.ca>; Kanellakos, Steve (City of Ottawa) <Steve.Kanellakos@ottawa.ca>
Subject: Motion by City Councilor Catherine McKenney

Unclassified

Good Morning,

I understand Councilor McKenney is intending to bring a Motion before City Council requesting the RCMP assume command and control of the ongoing demonstration.

In accordance with s. 5(1)1 of the *Police Services Act*, the City of Ottawa has discharged its responsibility to provide police services by establishing a police force (the Ottawa Police Service). As a result, the Ottawa Police Service is the police service of jurisdiction with respect to the ongoing demonstrations in the City of Ottawa. The process for disabling a municipal police service is outlined within the *Police Service Act* (s. 40).

The RCMP are important police partners within the City of Ottawa, however they are not the police of jurisdiction. Although the RCMP has the authority to enforce federal laws and exercise their authority at common law in Ontario, members of the RCMP do not have the authority to enforce provincial legislation or municipal by-laws in Ontario in the absence of a bilateral agreement under s. 20 of the *RCMP Act* (or special constable status by provincial appointment). For this reason, the current RCMP members embedded within the OPS' command structure were required to be

designated as special constables under the Ontario *Police Services Act*. These officers are not independent of us, but directly part of our command structure as it pertains to managing the ongoing demonstration.

Yours Truly

CHRISTIANE HUNEALT – GENERAL COUNSEL

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